

REMARKS

Reconsideration and further examination of the subject patent application in view of the present Amendment and the following Remarks is respectfully requested. Claims 1-56 are pending in the application. Claims 1-7, 11-27, 31-40, and 43-49 have been rejected under 35 U.S.C. §103(e) as being unpatentable over U.S. Pat. Pub. No. 2003/0009530 to Philonenko et al. ("Philonenko") in view of U.S. Pat. Pub. No. 2001/0047270 to Gusick et al. ("Gusick"). Claims 41, 42, and 50-56 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Philonenko in view of U.S. Pat. No. 5,987,116 to Petrunka et al. ("Petrunka"). Claims 8-10 and 28-30 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Philonenko in view of Gusick and further in view of Petrunka. Claims 1, 3, 4, 6, 9-11, 14, 16, and 18 have been amended. After careful review of the claims as amended, it is believed that the claims are in allowable form and therefore allowance is respectfully requested.

Claim 1 has been amended to clarify, and recite offering by immediate messaging an opportunity to accept the request for assistance to the at least one expert (see e.g., para. 0021, 0068). Claim 4 has been amended to claim identifying a not on-line expert if the expert has a status permitting interruption (see e.g., para. 0023). Claim 9 has been amended to claim dynamically assigning multiple group screen names to at least one group (see e.g., para. 0059). Claim 10 has been amended to claim identifying a maximum number of experts (see e.g., para. 0097) and claim 14 has been amended to claim instant messaging between the expert and the agent through an instant messaging service (see e.g., para. 0034). Claim 16 has been amended to claim adding experts to enable consultation between multiple experts (see e.g., para. 0022).

Claims 1-7, 11-27, 31-40, and 43-49 have been rejected as obvious over Philonenko and Gusick. Philonenko describes a system for improved communication and reporting within a communication system wherein agent status is monitored and a customer can request agent status information by instant message from a status server before making a call. However, the independent claims 1, 21, 43, 46, and 49 call for establishing an immediate message connection between one or more experts selected by an agent servicing a customer. Philonenko does not describe a connection between an agent servicing a customer and a selected expert rather Philonenko merely describes a customer accessing a server for status information before contact with an agent. The Office Action cites paragraphs 51, 54-56, and 61 of Philonenko. However, paragraph 51 merely describes the status server monitoring and logging agent status information; and paragraphs 54-56 merely describe the request from the customer (user 9) to the status server for

status information (paragraph 54) and sending the status information to the customer (paragraphs 55-56). This is for the purpose of taking a user's status request before requiring the user to place an actual call or initiate a contact with the center (paragraph 53, lines 11-14). Paragraph 61 merely describes the customer interface which reports the status information. The Office Action asserts that this describes agent status and instant messages sent to obtain status information. However, it does not describe monitoring of experts. Further, even if so, it would only be describing a message sent a server to access data, it is not an instant message session between the agent and an expert selected in response to the agent request to enable the agent to respond to a customer query, or in response to acceptance of the request by the expert. The Office Action also asserts that Philonenko disclosed the claimed receiving the first message and invoking a workflow based upon the selection in Paragraph 21, and 54-65; specifically that networked entities include agents, etc., synchronization is conducted by instant messages and presence protocol and a software agent locates the target entity and requests current data from the entity. This merely describes monitoring for reporting presence information. These passages however do not even mention invoking workflow, selection of an expert group by an agent, or invoking based upon the selection. In fact, the Office Action concedes that Philonenko does not teach receiving a selection from the agent, thus it could not be describing invoking a workflow based upon that non-existent selection. Thus, Philonenko does not disclose receiving the message and invoking a workflow based upon the selection, or establishing an immediate connection between the agent servicing a customer and an expert(s) selected in response to the agent request, and expert acceptance, nor exchange of immediate messages between them. Further, Philonenko does not disclose the other claimed features of claim 1-7, 11-27, 31-40, and 43-49, including, as conceded by the Office Action, receiving a selection from the agent of an expert group, the selection triggering a first immediate message that includes a request for assistance from the expert group, and identifying at least one expert automatically.

The Office Action asserts that Gusick teaches the claimed receiving a selection from the agent identifying an expert group the selection triggering a first immediate message requesting assistance, and identifying at least one expert in paragraph 64. Gusick describes a customer service system to enable different members of a customer service network to communicate and share customer service information. Paragraph 64 of Gusick describes a dispatcher assigning questions to a specific team member or expert by routing the question to the team member's pending question list. The claims however, call for receiving a selection that identifies a group (not a specific expert) and triggering an immediate message to request assistance from the group. Gusick merely describes

a dispatcher sending the question directly to a specific selected team member selected by the dispatcher and does not describe the claimed message requesting assistance, or the selection triggering of an immediate instant message to request assistance from a group. The dispatcher merely sends the question to an agent without selection of a group. Gusick also does not describe invoking a workflow based upon the selection as now claimed (see e.g., paragraph 82). Further, the Gusick dispatcher selects the specific team member manually from a menu, while the claim now calls for automatically identifying the selected expert(s) using the workflow (see e.g. paragraph 83). Thus, the combination of Philonenko and Gusick fails to disclose communicating a list of expert groups, receiving a selection from the agent that identifies an agent group, triggering an immediate message to request assistance from the group, invoking a workflow based on the selection, automatically identifying the at least one expert using the workflow, offering the opportunity to accept the request and establishing an immediate message connection between the agent and the customer. The Office Action also asserts that Gusick discloses communicating an expert group list to the agent serving a customer. However, Gusick only describes a dispatcher using a menu to manually select a specific expert (team member) and sending the question to that expert. This describes a dispatcher selecting a specific expert from a list of experts, not selecting an expert group from a list of expert groups. Further, claim 1 now calls for offering by immediate messaging an opportunity to accept the request to the automatically selected expert. Therefore, independent claims 1, 21, 43, 46, and 49 are distinguishable over the combination of Philonenko and Gusick for these reasons, as are dependent claims 2-20, 22-40, 44-45, and 47-48 which are dependent thereon.

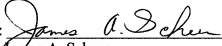
Claims 41, 42, and 50-56 have been rejected as obvious over Philonenko in view of Petrunka. Independent claims 41, 42, 50, 53, and 56 call for establishing an immediate message connection between the expert and the agent or requester. As discussed above, this feature is not disclosed by Philonenko, nor is it disclosed by Petrunka. Philonenko also does not disclose automatically identifying the at least one expert using the workflow, but merely describes customer call routing to agents in paragraphs 62-63. Philonenko also does not teach invoking a workflow based upon the selection, and automatically identifying an expert using the workflow as claimed in claims 41, 42, and 50-56. These features are also not disclosed in Petrunka which merely routes calls from customers to agents but does not invoke workflow based on selection of an expert group or automatically identify an expert using the workflow. Thus, independent claims 41, 42, 50, 53, and 56 have been distinguishable over the combination of Philonenko and Petrunka, as are claims 51, 52, 54, and 55 which are dependent upon thereon.

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 23-0920. A duplicate copy of this sheet(s) is enclosed.

Respectfully submitted,

HUSCH BLACKWELL SANDERS
WELSH & KATZ

By: 
James A. Scheer
Registration No. 29,434

Dated: April 24, 2009

HUSCH BLACKWELL SANDERS
WELSH & KATZ
120 South Riverside Plaza, Suite 2200
Chicago, Illinois 60606
(312) 655-1500 phone
(312) 655-1501 fax